

Order

Michigan Supreme Court
Lansing, Michigan

September 25, 2009

Marilyn Kelly,
Chief Justice

138462

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

In re Estate of EDWARD JOSEPH McCORMICK,
Deceased.

ERIC A. BRAVERMAN, Personal Representative
of the Estate of EDWARD JOSEPH
McCORMICK, Deceased,
Petitioner-Appellee,

v

SC: 138462
COA: 277558
Wayne Probate: 1992-513517-DE

LINDA McCORMICK, and MARY
McCORMICK,
Respondents-Appellants.

On order of the Court, the application for leave to appeal the December 11, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals. We REVERSE the order of the Wayne Probate Court approving petitioner's 12th, 13th, 14th and final accountings and granting his petition for complete estate settlement, and we REMAND this case for further proceedings. We DIRECT the probate court to require the petitioner to provide an itemized accounting that establishes his and the receiver's entitlement to the specific amounts they received from the estate as compensation. See MCR 5.310(C)(2)(c). In particular, the probate court shall require the petitioner to provide an itemization of the \$41,485 payment to himself from the estate, and the \$105,156 payment to the receiver from the proceeds of the sale of the real property.

We do not retain jurisdiction.

CAVANAGH, J., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 25, 2009

Corbin R. Davis

Clerk